

**US Army Corps  
of Engineers**  
Louisville District ®

# Public Notice

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Public Notice No.  
LRL-2004-01010-kjs

Date:  
29 Nov 2017

Closing Date:  
29 Dec 2017

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Please address all comments and inquiries to:  
U.S. Army Corps of Engineers, Louisville District  
ATTN: Kimberly J. Simpson, CELRL-RDN, Rm 752  
P.O. Box 59  
Louisville, Kentucky 40201-0059

Phone: (502) 315-6691

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This notice announces an application submitted for a Department of the Army (DA) Permit subject to Section 10 of the Rivers and Harbors Act of 1899.

**APPLICANT:** Mulzer Crushed Stone, Inc.  
PO Box 3596  
Evansville, Indiana 47734

**AGENT:** American Engineers Inc.  
2500 Nelson Miller Parkway  
Louisville, Kentucky 40223

**LOCATION:** Ohio River Mile Marker 586.4 Right Bank at 15602 Charlestown-Bethlehem Road, Charlestown, Clark County, Indiana.

Latitude: 38-27-09  
Longitude: -85-34-40  
7.5 Minute Quad: Owen, Indiana-Kentucky

**PURPOSE:** To provide additional fleeting, to improve river accessibility for personnel on the upstream portion of the facility, and to dredge to maintain river depth for ingress/egress of barges.

**DESCRIPTION OF WORK:** The applicant requests authorization to add six barge fleeting spaces to a previously permitted two barge fleeting area located at a removable truck loading ramp. The truck ramp is currently used to load/unload specialty materials on an irregular basis. Currently, six fleeting spaces are authorized for barge cleaning purposes immediately upstream of the truck loading ramp. The applicant requests authorization to move the six barge fleeting spaces downstream to the location of the truck loading ramp. Barge cleaning would then be conducted at this location when not in use for loading/unloading specialty materials. The truck ramp would be removed while a walkway bridge would be placed from the bank to a permitted work barge. The second barge at this location, which was previously authorized, would be used

for personnel access. This arrangement would allow the applicant to move the barge cleaning operations back and forth between the two barge fleeting areas, and the previously permitted shoreline barge would provide an access point for personnel who need to access cells, quads, and barges in the river. Also, the applicant requests authorization to dredge 1,000 cubic yards of sediment material utilizing a clamshell dredge starting just outside of cells, dolphins, and quad ties. Dredging is proposed riverward along the entire facility (60' wide x 4,200' long) on an as-needed basis, likely every 2-3 years, for a period of 10 years. The material would be placed into a barge and offloaded at the truck loading/unloading ramp. The material would be disposed of in the existing authorized spoil disposal area located onsite, northwest of the truck unloading ramp.

**REVIEW PROCEDURES:** A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied.

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. Based on available information, the proposed activity will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

The National Register of Historic Places has been examined, and it has been determined that there are no properties currently listed on the Register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, prehistoric, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 – Public Law 89-665 as amended (including Public Law 96-515).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no

objection to the proposed project. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Missions/Regulatory.aspx>. All comments regarding this proposal should be addressed to Kimberly J. Simpson, CELRL-RDN at the address noted above and should refer to the Public Notice Number LRL-2004-01010-kjs.

If you desire to submit your comments by email, you must comply with the following:

- a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2004-01010-kjs

Example:

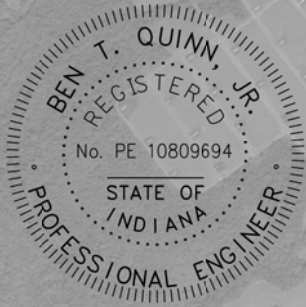
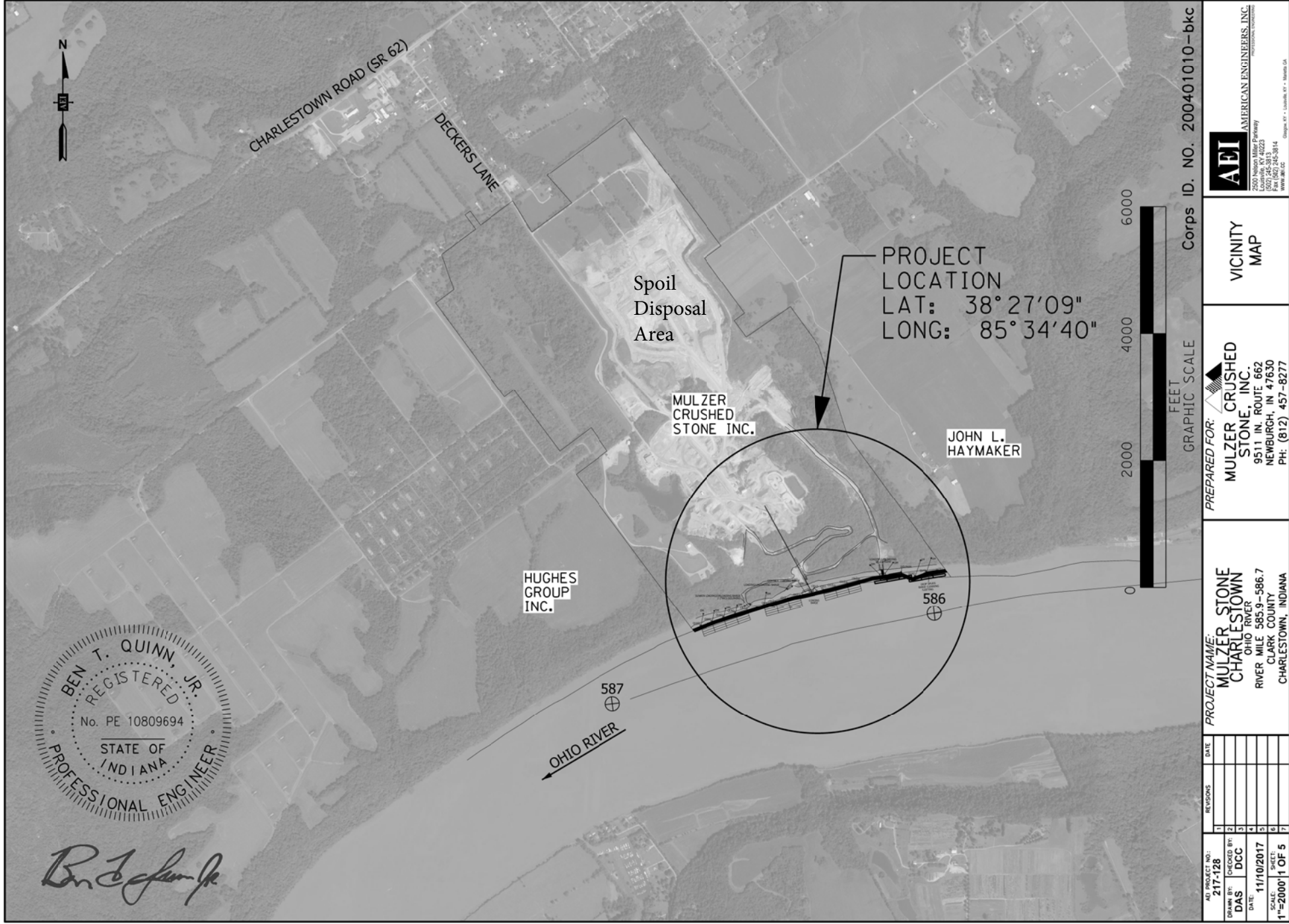
Subject: LRL-2004-01010-kjs

- b) Provide your physical mailing address and telephone number.
- c) Send your email to: [lrl.regulatorypubliccomment@usace.army.mil](mailto:lrl.regulatorypubliccomment@usace.army.mil)
- d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.



Map data ©2017 Google 1 mi

Mulzer Crushed Stone  
Vicinity Map  
LRL-2004-01010  
Figure 1 of 6



*Ben T. Quinn, Jr.*

ASD PROJECT NO.		REVISIONS	DATE	PROJECT NAME:		PREPARED FOR:		VICINITY MAP		Corps ID. NO. 200401010-bkc	
217-128	1			MULZER STONE		MULZER CRUSHED		AEI		AMERICAN ENGINEERS, INC.	
DCC	2			CHARLESTOWN		STONE, INC.		2000 Nelson Miller Parkway		2000 Nelson Miller Parkway	
DCC	3			OHIO RIVER		9511 IN. ROUTE 662		CLARK COUNTY, IN 47630		CLARK COUNTY, IN 47630	
11/10/2017	4			RIVER MILE 585.9-586.7		NEWBURGH, IN 47630		PH: (812) 457-8277		PH: (812) 457-8277	
11/10/2017	5			CLARK COUNTY							
11/10/2017	6			CHARLESTOWN, INDIANA							
11/10/2017	7										

# SITE NOTES

NOTE: PROPERTY LINES SHOWN HEREON ARE GRAPHICAL REPRESENTATIONS AS BASED ON MAPPING IN THE REPRESENTATIVE COUNTIES OF THE PROJECT PROVIDED BY MULZER STONE, INC.

THIS DRAWING DOES NOT CONSTITUTE A BOUNDARY SURVEY OF ANY KIND, AND AS SUCH SHALL NOT BE DEEMED A PLAT OF ANY KIND. THE DRAWING IS FOR INFORMATION ONLY. THIS DRAWING SHALL NOT BE RECORDED. THIS DRAWING SHALL NOT BE ALTERED IN ANY MANNER.

MCALPINE LOCKS & DAM IS APPROX. 20.5 MILES DOWNSTREAM OF PROJECT.

MARKLAND LOCKS & DAM IS APPROX. 54.4 MILES UPSTREAM OF PROJECT.

POLITICAL JURISDICTIONS: CLARK COUNTY, INDIANA

ALL EXISTING AND PROPOSED CABLES FROM DEADMEN ARE 1/8" DIA. STEEL CABLES.

HUGHES GROUP INC.

- (1) - DENOTES FLEETING AREA ONE
- (A) - EX. PERMITTED QUAD-TIE
- (B) - EX. PERMITTED CELL
- (C) - EX. PERMITTED DEADMEN
- (D) - EX. DOLPHIN

- DENOTES PROPOSED MAINTENANCE DREDGING AREA

PROJECT LOCATION  
LAT: 38°27'09"  
LONG: 85°34'40"

MULZER CRUSHED STONE INC.

JOHN L. HAYMAKER

GRAPHIC SCALE  
500 1000 1500  
FEET

Corps ID. NO. 200401010-bkc

PREPARED FOR:

MULZER CRUSHED STONE, INC.  
9511 IN. ROUTE 662  
NEWBURGH, IN 47630  
PH: (812) 457-8277

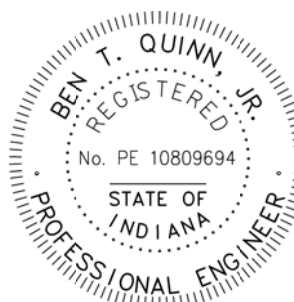
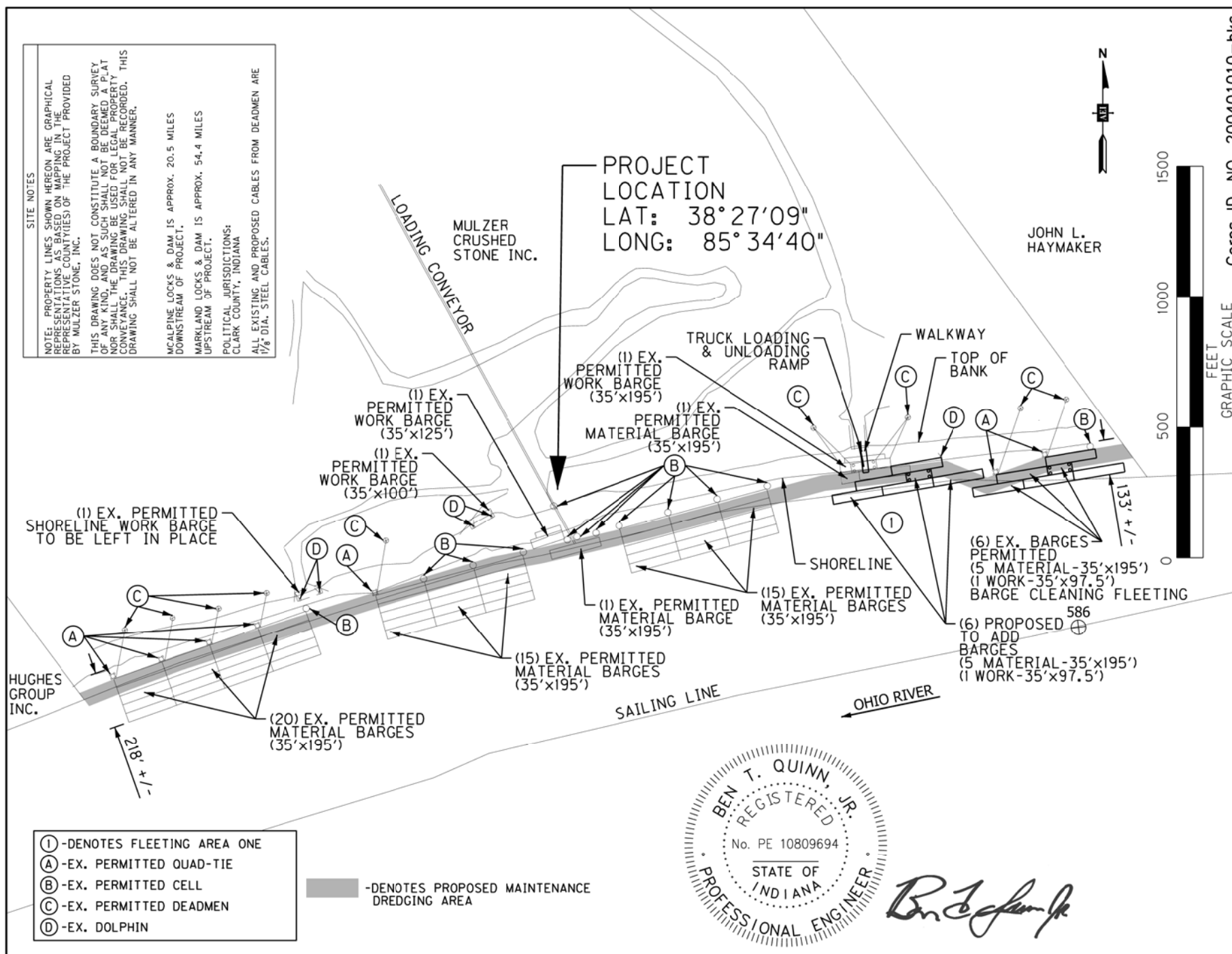
PROJECT NAME:  
MULZER STONE  
CHARLESTOWN  
OHIO RIVER  
RIVER MILE 585.9-586.7  
CLARK COUNTY  
CHARLESTOWN, INDIANA

REVISED	DATE
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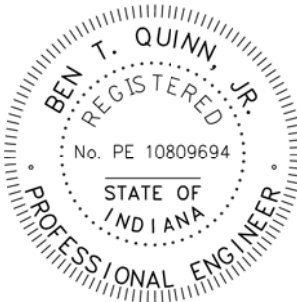
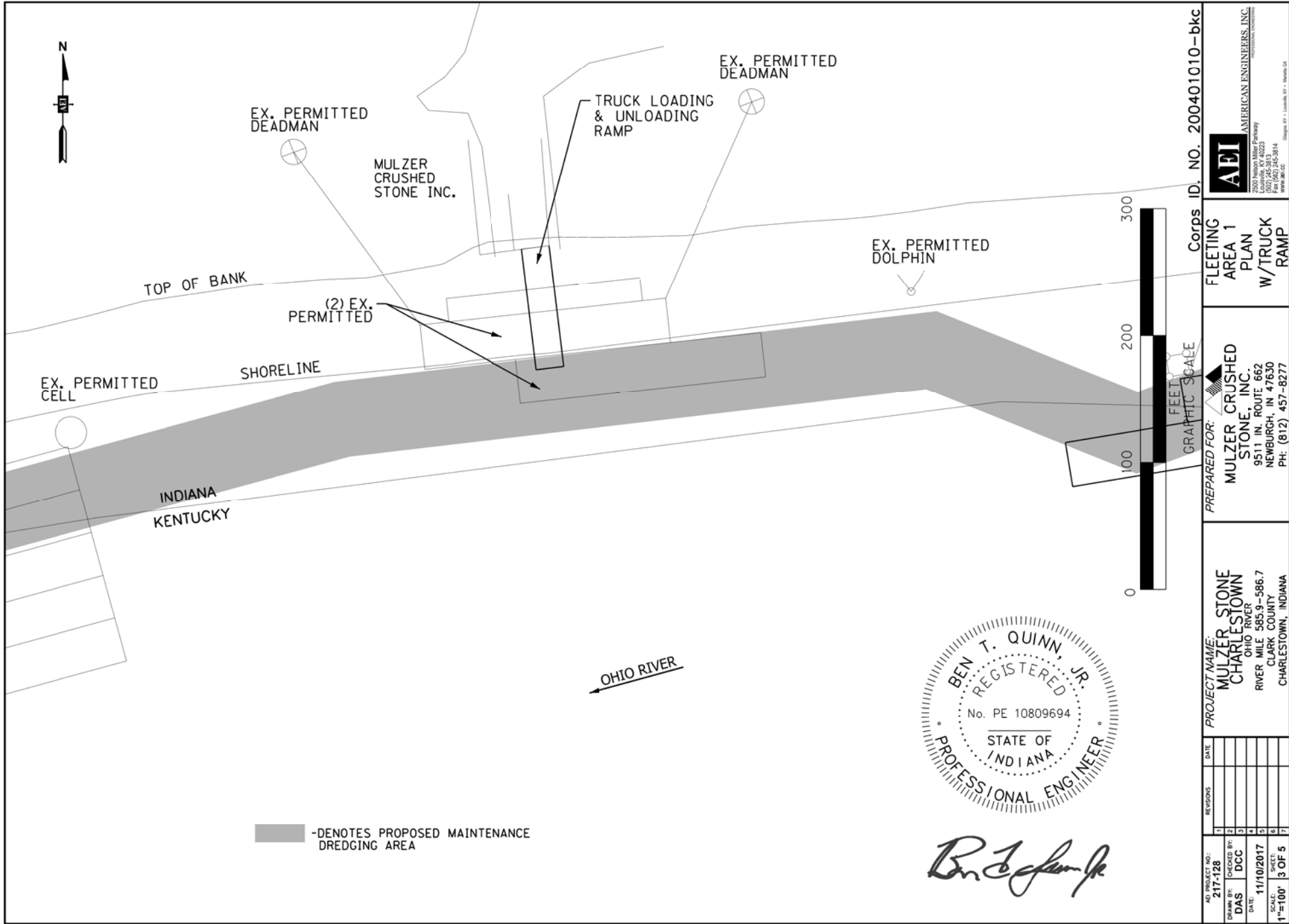
AS PROJECT NO.	217-128
DRAWN BY:	DCC
CHECKED BY:	DCC
DATE:	11/10/2017
SCALE:	1"=500'
SHEET:	2 OF 5

AEI  
AMERICAN ENGINEERS, INC.  
2500 Nelson Miller Parkway  
Clarksville, IN 47323  
Tel: (812) 457-3814  
Fax: (812) 245-3814  
www.aei.cc

SITE PLAN



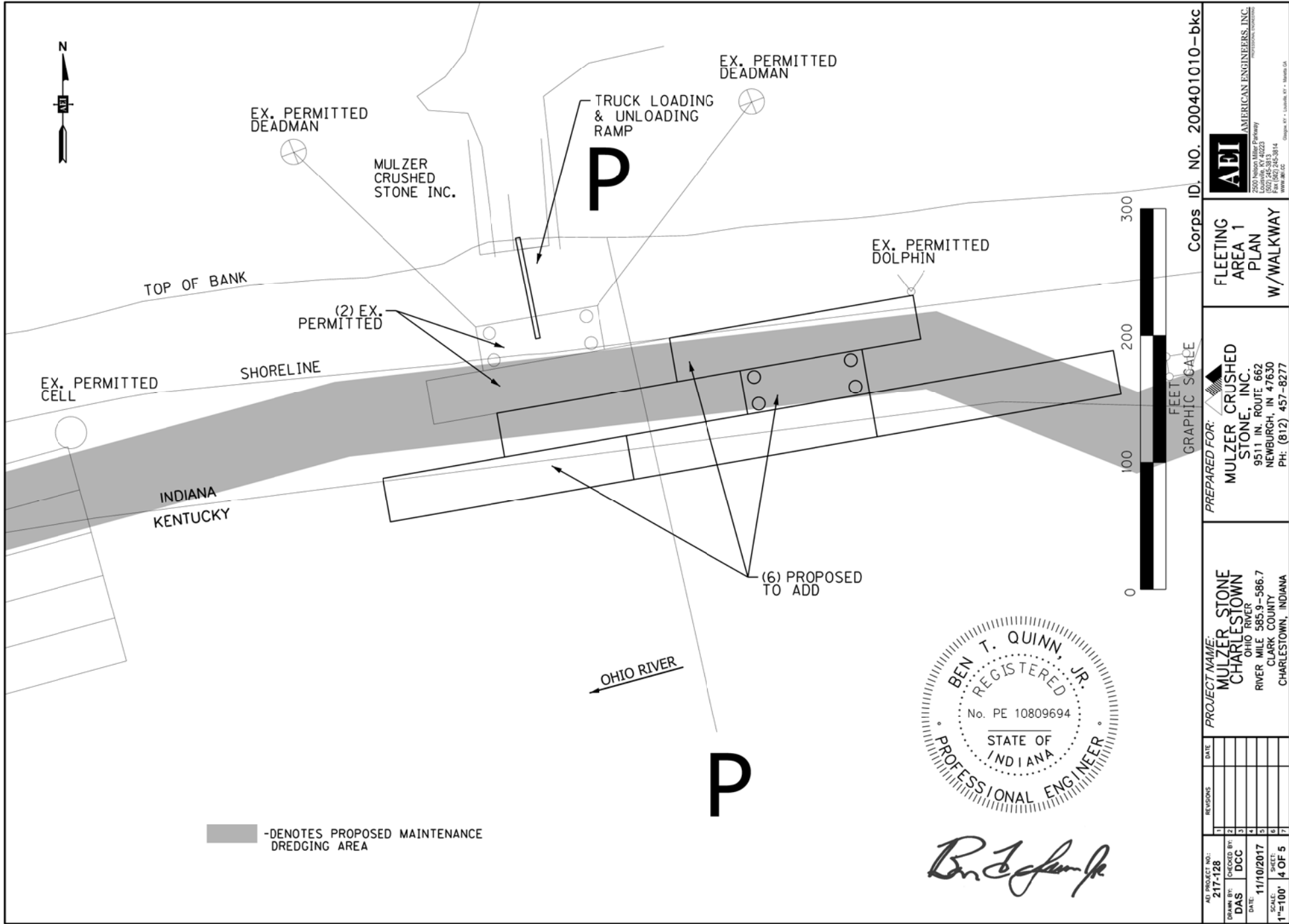
*Ben T. Quinn, Jr.*



*Ben T. Quinn, Jr.*

PREPARED FOR: <b>MULZER CRUSHED STONE, INC.</b> 9511 IN. ROUTE 662 NEWBURGH, IN 47630 PH: (812) 457-8277		PROJECT NAME: <b>MULZER STONE CHARLESTOWN</b> OHIO RIVER RIVER MILE 585.9-586.7 CLARK COUNTY CHARLESTOWN, INDIANA		Corps ID. NO. 200401010-bkc	
FLEETING AREA 1 PLAN W/TRUCK RAMP		SCALE: 1"=100'		SHEET 3 OF 5	
REVISED 1 2 3 4 5 6 7		DATE 11/10/2017		CHECKED BY: DCC	
DRAWN BY: DAS		DATE: 11/10/2017		SCALE: 1"=100'	

**AEI**  
 AMERICAN ENGINEERS, INC.  
 PROFESSIONAL ENGINEERS  
 2500 Nelson Miller Parkway  
 Columbus, IN 47323  
 (502) 445-3814  
 Fax (502) 245-3814  
 www.aei.cc  
 Design: KY - Louisville, KY - Indiana, IN



Corps ID. NO. 200401010-bkc



AMERICAN ENGINEERS, INC.  
PROFESSIONAL ENGINEERS  
2500 Nelson Miller Parkway  
Cincinnati, OH 45223  
(513) 445-3814  
Fax (513) 245-3814  
www.ael.com

FLEETING  
AREA 1  
PLAN  
W/WALKWAY

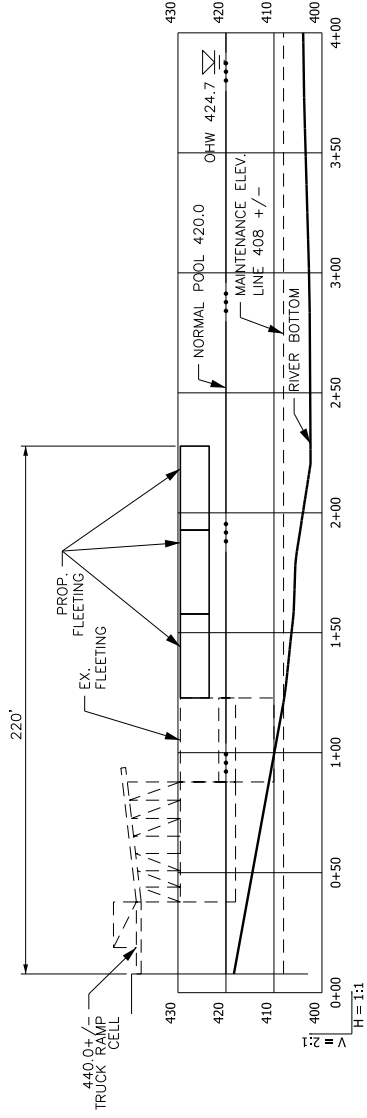
PREPARED FOR:  
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NEWBURGH, IN 47630  
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PROJECT NAME:  
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CHARLESTOWN  
OHIO RIVER  
RIVER MILE 585.9-586.7  
CLARK COUNTY  
CHARLESTOWN, INDIANA

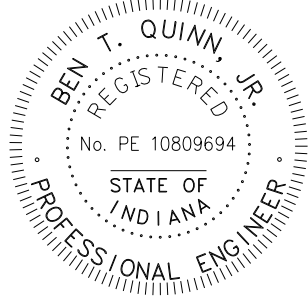
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ASD PROJECT NO.	217-128
DRAWN BY:	DCC
CHECKED BY:	DCC
DATE:	11/10/2017
SCALE:	1"=100'
SHEET	4 OF 5





P-P



*Ben T. Quinn, Jr.*



GRAPHIC SCALE

Corps ID. NO. 200401010-bkc

AS PROJECT NO.	REVISIONS	DATE	PROJECT NAME:	PREPARED FOR:	FLEETING
217-128	1		MULZER STONE	MULZER CRUSHED	AREA 1
DRAWN BY: DCC	2		CHARLESTOWN	STONE, INC.	TYPICAL
DAS	3		OHIO RIVER	9511 IN. ROUTE 662	CROSS
DATE: 11/10/2017	4		RIVER MILE 585.9-586.7	NEWBURGH, IN 47630	SECTION
SCALE: 1"=80'	5		CLARK COUNTY	PH: (812) 457-8277	
	6		CHARLESTOWN, INDIANA		
	7				



AMERICAN ENGINEERS, INC.  
PROFESSIONAL ENGINEERS  
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